

Jeff P. Prostok
State Bar No. 16352500
Lynda L. Lankford
State Bar No. 11935020
FORSHEY & PROSTOK LLP
777 Main St., Suite 1290
Fort Worth, TX 76102
817-877-8855 Telephone
817-877-4151 Facsimile
jprostok@forsheyprostok.com
llankford@forsheyprostok.com

ATTORNEYS FOR THE GRANTOR TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re	:	Chapter 11
	:	
VICTORY MEDICAL CENTER	:	Case No. 15-42373-RFN
MID-CITIES, LP., <i>et al.</i> , ¹	:	
	:	Jointly Administered
Debtors.	:	

**OMNIBUS RESPONSE TO OBJECTIONS TO THE SECOND MOTION
OF THE GRANTOR TRUSTEE FOR AUTHORITY TO CONDUCT
RULE 2004 EXAMINATIONS OF CERTAIN ERISA PLAN SPONSORS
AND THEIR THIRD PARTY ADMINISTRATORS
AND FOR THE PRODUCTION OF DOCUMENTS [DKT. NO. 1194]**

The Trustee filed his second motion (the “Second Motion”) for authority under Rule 2004 to issue document subpoenas and, if necessary, take examinations of a number of ERISA plan sponsors and their third party administrators (“TPAs”) [Docket No. 1194]. At least seventeen of the proposed examinees named in the Motion have objected to the Motion on various grounds (the “Objections”). *See* Docket Nos. 1208, 1209, 1210, 1212, 1220, 1227, 1231,

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are Victory Medical Center Mid-Cities, GP, LLC (2376), Victory Medical Center Plano, LP (2377), Victory Medical Center Plano GP, LLC (2378), Victory Medical Center Craig Ranch, LP (2379), Victory Medical Center Craig Ranch GP, LLC (2381), Victory Medical Center Landmark, LP (2382), Victory Medical Center Landmark GP, LLC (2383), and Victory Parent Company, LLC (2384).

1272, 1274, 1283, 1285, 1286, 1287, 1303, 1319, 1320 and 1330. Because the Objections are substantially similar, the Trustee hereby responds to all objections on an omnibus basis.

All of the Objections to the Second Motion were likewise filed as objections to the *First Motion of the Grantor Trustee for Authority to Conduct Rule 2004 Examinations of Certain ERISA Plan Sponsors and Their Third Party Administrators and for the Production of Documents* (the “First Motion”) [Docket No. 1193], or were otherwise filed as a Joinder to an objection to the First Motion. Consequently, the issues raised in the objections to the First Motion are essentially identical to the issues raised by the Objections to the Second Motion.

Concurrently herewith, the Trustee has filed his *Omnibus Response to Objections to the First Motion of the Grantor Trustee for Authority to Conduct Rule 2004 Examinations of Certain ERISA Plan Sponsors and Their Third Party Administrators and for the Production of Documents [Dkt. No. 1193]* (the “Omnibus Response to First Motion”). In response to the Objections to the Second Motion, the Trustee incorporates fully herein his Omnibus Response to First Motion, including all Exhibits attached thereto.

For the same reasons as set forth in the Omnibus Response to the First Motion, the Trustee respectfully requests that the Court grant the Second Motion.

Dated: August 19, 2016

Respectfully submitted,

/s/ Lynda L. Lankford

Jeff P. Prostok
State Bar No. 16352500
Lynda L. Lankford
State Bar No. 11935020
FORSHEY & PROSTOK LLP
777 Main St., Suite 1290
Fort Worth, TX 76102
817-877-8855 Telephone
817-877-4151 Facsimile

jprostok@forsheyprostok.com
llankford@forsheyprostok.com

Attorneys for the Grantor Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically and was served upon all parties that are registered or otherwise entitled to receive electronic notice in this bankruptcy case via ECF electronic on the 19th day of August, 2016.

/s/ Lynda L. Lankford
Lynda L. Lankford

L:\JPROSTOK\Victory Med Ctr Creditor Comm #5760; #5829\Pleadings\Omnibus Response to Objections to Second Rule 2004 Motion dkt 1194.docx